I hereby certify that this correspondence is being transmitted via the Office Electronic Filing System on the date shown below.

Dated: September 19, 2008

ignature: (G. Nhristonner Braidwood)

Atty. Docket No.: 10040-04 PEL-01A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul Nizzere et al.

Application No.: 10/590,815

Filed: August 25, 2006

For: Scale

Confirmation No.: 1157

Art Unit: Unknown

Examiner: To Be Determined

RESPONSE TO DECISION DISMISSING RULE 47 PETITION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the "Decision on Petition under 37 CFR 1.47(a)" dated February 19, 2008.

The applicants respectfully request reconsideration based on the following documents submitted herewith:

- 1. Five declarations for all inventors except the non-signing inventors, Matthew Lawler and Theron Kotze, including a new declaration signed by inventor Chris Kulujian;
- 2. A declaration of G. Christopher Braidwood, along with documentary evidence in support of the petition; and
 - 3. A petition for extension of time.

The requisite fees under 37 CFR 1.17(a)(5) are being paid via the Office Electronic Filing System. Applicant hereby authorizes the Commissioner to charge any additional fee or credit any overpayment of fees to deposit Account No. 50-3866.

The applicants respectfully submit that the documents submitted herewith address each of the deficiencies identified in the decision dismissing the applicants' petition under Rule 47(a). The applicants accordingly submit that the requirements of Rule 47(a) have now been met.

Based on the foregoing, the applicants respectfully request that the applicants' petition be granted, and that the present application be deemed filed in the name of the signing inventors on behalf of the non-signing inventors.

Dated: September 19, 2008

Respectfully submitted,

G. Christopher Braidwood Registration No.: 41,631 Lempia Braidwood LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606 (312) 291-0860 Attorney for Applicant I hereby certify that this correspondence is being transmitted via the Office Electronic Filing System on the date shown below

Dated: September 19, 2008

Signature: (G. Christopher Braidwood)

Atty. Docket No.: 10040-04 PEL-01A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul Nizzere et al.

Application No.: 10/590,815

Filed: August 25, 2006

For: Scale

Confirmation No.: 1157

Art Unit: Unknown

Examiner: To Be Determined

DECLARATION OF G. CHRISTOPHER BRAIDWOOD PURSUANT TO 37 C.F.R. § 1.47

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

- I, G. Christopher Braidwood, hereby state as follows:
- 1. I am a partner in the law firm of Lempia Braidwood LLC, which has been engaged by Rubbermaid, Inc., which is a division of Newell Rubbermaid, Inc., to act on its behalf before the U.S. Patent and Trademark Office ("the Office") in connection with the above-identified application Serial No. 10/590,815 ("the application"). In that capacity, I have worked with Ms. Karen Kaplan, the patent paralegal for Rubbermaid, Inc. responsible for obtaining signatures on documentation pertaining to patent applications filed with the Office and assigned or to be assigned from the inventors to Rubbermaid, Inc.

2. I conducted internet searches in an attempt to locate two inventors that have yet to execute a declaration in this application, Matthew Lawler and Theron Kotze. The internet searches were generally intended to supplement the internet searches previously conducted by Ms. Kaplan. As set forth in Ms. Kaplan's declaration previously submitted in this application, the internet searches utilized the website, whitepages.com.

3. To the best of my knowledge, no documentation of the internet searches at whitepages.com exists.

4. I conducted the internet searches in an attempt to determine a mailing address for Matthew Lawler other than his last known address to which a declaration was previously sent, and which is:

Matthew Lawler 13738 West Ironwood Circle Homerglen, Illinois 60441

5. I conducted the internet searches in an attempt to determine a mailing address for Theron Kotze other than his last known address to which a declaration was previously sent, and which is:

Theron Kotze 1510 West Byron, Apt. 1 Chicago, Illinois, 60613

- 6. Using the internet website <u>www.anywho.com</u>, I was unable to determine a new mailing address for Matthew Lawler. See Exhibit A attached hereto.
- 7. Using the internet website www.anywho.com, I was unable to determine a new mailing address for Theron Kotze. See Exhibit B attached hereto.

- 8. Using the internet website <u>www.anywho.com</u>, I was unable to determine a new phone number for Matthew Lawler. See Exhibit A attached hereto.
- 9. Using the internet website <u>www.anywho.com</u>, I was unable to determine a new mailing address for Theron Kotze. See Exhibit B attached hereto.
- 10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the above-reference patent application and any patent issued therefrom.

Date: SEPTEMBER 19, 2008

G. Christopher Braidwood Lempia Braidwood LLC



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FIND A PERSON

TIP: Try the 1st 4 letters

Last Name Required First Name Street lawler matthew

IL

TIP: Try just the 1st letter ZIP Code State

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TIP: Don't include St, Ave. etc

You searched for: matthew lawler in IL

♦ PREVIOUS | NEXT ▶

Matthew Lawier - Phone Number, Address & Public Records Available,

Can't find matthew lawler? Try Classmates.com!

Find a Nearby Business

Why don't you try a business search on the name?

Unable to return results...

Reason: No listings were found.

We searched on matthew lawler in IL however; we could not find any listings to display.

Possible solutions: Please alter your search information using one of the following (in priority order).

- 1. Check to see if your information was entered correctly. Make sure you're using the correct spelling or location (street, city, state or zip).
- Too much information was entered. A common mistake is being too specific. Start with broader range of search information then narrow down if needed.
 - a. Some listings in the database do not contain zip codes, resulting in listings not being found.
 - b. For cities with multiple zip codes, use the city instead of the zip code when possible or just search within the state.
 - c. For a Person: Use a partial (wildcard) last name instead of the full last name. Try removing the first name or only use the first initial. Also, the listing may be under a spouse's name.
- Finally, the listing you're looking for is a non-published listing. Non-published listings are not contained within the database.

Please try your search again based on one of the possible solutions using the form above.

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FIND A PERSON

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tankenilas kanadan si da kali sa danbahari da amanan si taman kara-mara-masa merenaba sinda dar-sam-sa serat

TIP: Try the 1st 4 letters TIP: Try just the 1st letter

You searched for: theron kotze in IL

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Can't find theron kotze? Try Classmates.com!

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Unable to return results...

Reason: No listings were found.

We searched on theron kotze in IL however; we could not find any listings to display.

Possible solutions: Please after your search information using one of the following (in priority order).

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 - a. Some listings in the database do not contain zip codes, resulting in listings not being found.
 - b. For cities with multiple zip codes, use the city instead of the zip code when possible or just search within the state.
 - c. For a Person: Use a partial (wildcard) last name instead of the full last name. Try removing the first name or only use the first initial. Also, the listing may be under a spouse's name.
- Finally, the listing you're looking for is a non-published listing. Non-published listings are not contained within the database.

Please try your search again based on one of the possible solutions using the form above.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless if displays a valid OMB control number. Docket Number (Optional) PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) 10040-04 PEL-01A FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).) Application Number 10/590,815 Filed August 25, 2006 Scale For Art Unit To Be Determined Unknown Examiner This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): Fee Small Entity Fee One month (37 CFR 1.17(a)(1)) \$120 \$60 \$ \$ Two months (37 CFR 1.17(a)(2)) \$460 \$230 Three months (37 CFR 1.17(a)(3)) \$1050 \$525 \$ Four months (37 CFR 1.17(a)(4)) \$820 \$ \$1640 X Five months (37 CFR 1.17(a)(5)) \$2230 \$1115 2230.00 Applicant claims small entity status. See 37 CFR 1.27. A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-3866 . I have enclosed a duplicate copy of this sheet. I am the applicant/inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). attorney or agent of record. Registration Number attorney or agent under 37-6FR 1.34. Registration pumber if acting under 37 CFR 1.34 September 19, 2008 Date G. Christopher Braidwood (312) 291-0860 Typed or printed name Telephone Number NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

I hereby	certify that this correspondent	ce is being transm	mitted via the Office Electronic Filling System on the date shown below.	١.
Dated:	September 19, 2008	Signature: _	(G. Christopher Braidwood	d)

forms are submitted.

Total of

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE <u>DECLARATION FOR PATENT APPLICATION</u>

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

X no such foreign applications have been filed
such foreign application have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
			Yes No
	,		Yes No
			Yes No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)
	- -	

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35,	United States C	Code §119(e),	of any United	States
provisional patent application(s) listed below:	•			

X	such U.S.	provisional	application	have been	filed as	follows:
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Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
60/548,712	27 February 2004	X Yes No
		Yes No
		Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed.

X such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)	
PCT/US2005/006414	28 February 2005	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA IP GROUP, LLC, 223 W. Jackson Blvd., Suite 6200, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Bryan J. Lempia whose address is:

Lempia IP Group, LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606

Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

Please direct facsimiles to:

(312) 291-0864

Full name of sole or first inventor			··· · · · · · · · · · · · · · · · · ·
Paul D. Nizzere			: .
Sole or first inventor's signature		Date	
	•	Build	
		·	
		<u> </u>	
Residence: Darien, Illinois			
		•	
Citizenship United States			
Mailing Address			
7713 Stevens Street			•
Darien, Illinois 60561			
United States of America			
-			
T. II			
Full name of second inventor, if any Matthew H. Lawler	•		
Second inventor's signature			
Second inventor's signature		Date	,
YY 1 THE			
Residence: Homerglen, Illinois			•
Citizenship: United States			,
Mailing Address			
13738 West Ironwood Circle			
Homerglen, Illinois 60441			•
United States of America	•		
Full name of third inventor, if any			
Code DaVone		•.	
Third inventor's signature		Date	
· · · · · · · · · · · · · · · · · · ·		Date	•
Residence Joliet, Illinois		<u> </u>	
Residence Junet, Illinois	•		

Citizenship United States	•		
Mailing Address			
902 Clement		•	
Joliet, Illinois 60437			
United States of America			, ,
			•

Full name of sole or first inventor	
Chris Kulujian	*
Sole or first inventor's signature	Date
Residence: Chicago, Illinois	·····
Transcense. Omorgo, Immorg	
Constitution of Constitution o	
Citizenship United States Mailing Address	
<u>-</u>	
1020 West Ardmore 1M	
Chicago, Illinois 60660	
United States of America	
Full name of sole or first inventor	
Morad Ghassemian	
Sole or first inventor's signature	170
	Date
*	
Residence: Oak Park, Illinois	
Citizenship United States	
Mailing Address	
1225 North Oak Park Avenue	
	·
Oak Park, Illinois 60302	
United States of America	·
Full name of sole or first inventor	
Theron Kotze	
Sole or first inventor's signature	
or or machine sailingue.	Date
Residence: Chicago, Illinois	,
	· ·
Citizenship United States	
Mailing Address	
1510 West Byron, Apt. 1	
China Tituria COCAO	·
Chicago, Illinois 60613	
United States of America	

Full name of sole or first inventor	
Timothy A. Bearint	•
Sole or first inventor's signature	Date
Lang & S	11/25/07
Residence: Mokena, Illinois	
Citizenship United States	<u> </u>
Mailing Address	
10843 Canterbury Drive	
Mokena, Illinois 60448	
United States of America	
L	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

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FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

of the application on which priority is claimed:	ımıng	date t	erore	; LLLi
X no such foreign applications have been filed				
such foreign application have been filed as follows:		•	. '	•

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number Country		Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
	·	·	Yes No
· ·			Yes No
			Yes No

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Application Number	pplication Number Country	
	· · · · · · · · · · · · · · · · · · ·	
(•	

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under	Title 35,	United States	Code §119(e),	of any United States
provisional patent application(s) listed	below:	· ·		

	no such U.S	. provisional	applications	have been	filed.
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X	such U.S.	provisional	application	have been	filed as follows:
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Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
60/548,712	27 February 2004	X Yes No
		Yes No
		Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA IP GROUP, LLC, 223 W. Jackson Blvd., Suite 6200, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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Lempia IP Group, LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606

Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

Please direct facsimiles to:

(312) 291-0864

Full name of sole or first inventor	**************************************	
Paul D. Nizzere		
Sole or first inventor's signature		Date
Residence: Darien, Illinois	,	
Citizenship United States	·	
Mailing Address		
7713 Stevens Street	•	4
Darien, Illinois 60561	,‡	
United States of America		•
Full name of second inventor, if any		
Matthew H. Lawler		
Second inventor's signature		Date
Residence: Homerglen, Illinois		
·		
Citizenship: United States		Ø. Ø.
Mailing Address		
13738 West Ironwood Circle	·	
Homerglen, Illinois 60441		
United States of America		
		· ·
Full name of third inventor, if any	·	·
Carla DeYoung		
Third inventor's signature		Date
		9/30/07
Residence Joliet, Illinois		•
Citizenship United States		
Mailing Address		
4		
002 Clament		
902 Clement	•	·
Joliet, Illinois 60437 United States of America		
United States of America		·
•		

Full name of sole or first inventor	
Chris Kulujian	
Sole or first inventor's signature	Date
Residence: Chicago, Illinois	
Citizenship United States	
Mailing Address	
1020 West Ardmore 1M	
Chicago, Illinois 60660	
United States of America	
Full name of sole or first inventor	
Morad Ghassemian	
Sole or first inventor's signature	Date
Residence: Oak Park, Illinois	
	·
Citizenship United States	
Mailing Address	
1225 North Oak Park Avenue	•
Oak Park, Illinois 60302	
United States of America	
Full name of sole or first inventor	
Theron Kotze	
Sole or first inventor's signature	Date
Residence: Chicago, Illinois	
Residence: Chicago, Infinois	
Ov. 1. That Guarantee	
Citizenship United States Mailing Address	
1510 West Byron, Apt. 1	
	•
Chicago, Illinois 60613	
United States of America	

Full name of sole or first inventor		 				
Timothy A. Bearint						
Sole or first inventor's signature			Date			
	• • • • • • • • • • • • • • • • • • • •	 	<u>, </u>	<u> </u>		
Residence: Mokena, Illinois	•					
Citizenship United States						
Mailing Address		 	***************************************			
10843 Canterbury Drive			•		•	
Mokena, Illinois 60448						. •
United States of America						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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	such foreign application have been filed as follows:	

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Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
	-		Yes No
			Yes No
			Yes No

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Application Number	Country	Date of Filing (dd/mm/yyyy)
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35,	United States Co	de §119(e), of any	v United States
provisional patent application(s) listed below:			

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Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
60/548,712	27 February 2004	X Yes No
		Yes No
		Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

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first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed.

X such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)	
PCT/US2005/006414	28 February 2005	
	*	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA IP GROUP, LLC, 223 W. Jackson Blvd., Suite 6200, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Bryan J. Lempia whose address is:

Lempia IP Group, LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606

Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

Please direct facsimiles to:

(312) 291-0864

Full name of sole or first inventor	
Paul D. Nizzere	
Sole or first inventor's signature	Date
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Residence: Darien, Illinois	
Citizenship United States	
Mailing Address	
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Darien, Illinois 60561	
United States of America	
Full name of second inventor, if any	
Matthew H. Lawler	
Second inventor's signature	Date
Residence: Homerglen, Illinois	
Citizenship: United States	
Mailing Address	
13738 West Ironwood Circle	•
Homerglen, Illinois 60441	
United States of America	tut
	£
Full name of third inventor, if any	
Carla DeYoung	•
Third inventor's signature	Date
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Residence Jaliet, Illinois	
Citizenship United States	
Mailing Address	
American State	••
and on Asil	
902 Clement	•
oliet, Illinois 60437 Juited States of America	
Samon Profess of Satisfies	•

Full name of sole or first inventor	
Chris Kulujian	
Sole or first inventor's signature	
	Date
11 Mush	WAL 27 - 0
	NOV 27, 2007
Residence: Chicago, Illinois	•
Citizenship United States	
Mailing Address	2011 11 0000000000000000000000000000000
	3645 W. ROSCOE UNIT DE
	CHICAGO IL, 60618
The second secon	USA
	VZK
Full name of sole or first inventor	
Morad Ghassemian	
Sole or first inventor's signature	Date
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M. Kaman	NOV 27, 2007
Residence: Oak Park, Illimois	
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Citizenship United States	
Mailing Address	1
1225 North Oak Park Avenue	,
Oak Park, Illinois 60302	
United States of America	ž:
Office Bearcs of Afficia	
Full name of sole or first inventor	
Theron Kotze	
Sole or first inventor's signature	Date
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Residence: Chicago, Illinois	,
e.	
Citizenship United States	
Mailing Address	
1510 West Byron, Apt. 1	
Chicago, Illinois 60613	
United States of America	

Full name of sole or first inventor Timothy A. Bearint	
Sole or first inventor's signature	Date
Residence: Mokena, Illinois	
Citizenship United States	
Melling Address 10843 Canterbury Drive Mokena, Illinois 60448 United States of America	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

X no such foreign applications have been filed	•
such foreign application have been filed as follows:	

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
			Yes No
		<u>.</u>	Yes No
	- · · · · · · · · · · · · · · · · · · ·		Yes No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	ication Number Country		
91.1 1.1 1.1 1.1	:		
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §1	19(e), of any United	i States
provisional patent application(s) listed below:	•	•

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X such U.S. provisional application have been filed as follows:

Application Number	Application Number Date of Filing (dd/mm/yyyy)	
60/548,712	27 February 2004	X Yes No
·		Yes No
		Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

	no such U.S./PCT applications have been filed.
X	such U.S./PCT application have been filed as follow

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA FORMAN LLC, 223 W. Jackson Blvd., Suite 620, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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Lempia Forman, LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606

Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

Please direct facsimiles to:

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Full name of sole or first inventor		
Paul D. Nizzere	•	
Sole or first inventor's signature	Date	
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D D		•
Residence: Darien, Illinois		
Citizenship United States		
Mailing Address	•	
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Darien, Illinois 60561		
United States of America		
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Full name of second inventor, if any		
Matthew H. Lawler		
Second inventor's signature	Date	
Residence: Homerglen, Illinois		-
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Citizenship: United States		
Mailing Address		
13738 West Ironwood Circle		
Homerglen, Illinois 60441		
United States of America		
Full name of third inventor, if any	•	
Carla DeYoung		
Third inventor's signature	Date	
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Citizenship United States		
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Joliet, Illinois 60437		
United States of America		

Full name of sole or first inventor	The second secon
Chris Kulujian	
Sole or first inventor's signature	Date
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A Malgh	DEPT 19, 2008
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Citizenship United States	
Mailing Address	
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Chicago, Illinois 60660 CHICAGO IL, 60618	C.3.K.
United States of America U.S.A.	SEPT 14,2008
*	
Full name of sole or first inventor	
Morad Ghassemian	
Sole or first inventor's signature	Date
Residence: Oak Park, Illinois	
Citizenship United States	
Mailing Address	
1225 North Oak Park Avenue	•
Oak Park, Illinois 60302	
United States of America	•
Full name of sole or first inventor	
Theron Kotze	
Sole or first inventor's signature	Date
,	
Residence: Chicago, Illinois	
Citizenship United States	
Mailing Address	
1510 West Byron, Apt. 1	
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United States of America	

Full name of sole or first inventor	The second secon	
Timothy A. Bearint		
Sole or first inventor's signature	Date	
Residence: Mokena, Illinois		
Citizenship United States		
Mailing Address		
10843 Canterbury Drive		•
Mokena, Illinois 60448	•	
United States of America		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.58.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

X	no s	uch fore	igi applica	tions h	ave t	een f	iled		•		•			
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EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	plication Number Country		Priority Claimed Under 35 USC 119		
•	,		Yes No		
	•		Yes No		
· .			Yes No		

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)
·		

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

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X such U.S. provisional application have been filed as follows:

Application Number	Date of Filing (dd/iom/yyyy).	Priority Claimed Under 35 USC 119
60/548,712	27 February 2004	X Yes No
		Yes No
		Yes No

CLAIM FOR BENEFIT OF BARLIER U.S./PCT APPLICATION(S)

Thereby claim the benefit under Title 35, United States Code, § 120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed.

x such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)
PCT/US2005/006414	28 February 2005

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole or first inventor	
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Sole or first inventor's signature	Date
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Cambrid Strates of Patricking	
Full name of second inventor, if any Matthew H. Lawler	-
Second inventor's signature	Date
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Residence: Homergien, Illinois	•
Citizenship: United States	-
Mailing Address	
13738 West Ironwood Circle	•
Homerglen, Illinois 60441	-
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Full name of third inventor, if any	
Carla DeYoung	
Third inventor's signature	Date
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Full name of sole or first inventor	
Chris Kuhıjian	
Sole or first inventor's signature	Date
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Residence: Chicago, Illinois	
The state of the s	•
Citizenship United States	
Citizenship United States Mailing Address	
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Chicago, Illinois 60660	
United States of America	
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Full came of sole or first inventor	
Morad Ghassemian	
Sole or first inventor's signature	Date
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•	
Citizenship United States	
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United States of America	•
full name of sole or first inventor	
Theren Ketze	
ole or first inventor's signature	
The second secon	office for the first protection of the state
tesidence: Chicago, Illinois	
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Pull name of sole or first inventor	
Timothy A. Bearint	•
Sole or first inventor's signature	Date
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Citizenship United States	· 1965年, 1966年, 1965年,
Mailing Address 10843 Canterbury Drive Mokena, Illinois 60448 United States of America	